

Notice of Allowability

Application No.

10/804,717

Examiner

James O. Hansen

Applicant(s)

TUPPER ET AL.

Art Unit

3637

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 31, 2008.
2. ☒ The allowed claim(s) is/are 1, 9-13, 2-8, 18, 15, 20-22, 28, 23-27, 33 & 34 renumbered 1-26 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date attached.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/James O. Hansen/
Primary Examiner, Art Unit 3637

EXAMINER'S AMENDMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 31, 2008 has been entered.

Drawings

2. The drawings filed on March 19, 2004 are approved for examination purposes in view of the amendments to the claims. Accordingly, the previous objection to the drawings is withdrawn.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Brian Ainsworth on August 15, 2008.

The application has been amended, including a complete claim listing, as follows:

Claim 1 (previously amended). A drawer assembly, comprising:
a bottom wall;

a pair of sidewalls opposed across the bottom wall from one another and extending upwardly from the bottom wall;

a rear wall extending upwardly from the bottom wall and between the pair of sidewalls;

a front wall extending upwardly from the bottom wall between the pair of sidewalls and opposed across the bottom wall from the rear wall, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof; and

a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof;

wherein at least a select one of a group consisting of the at least one flange of the front wall and of the at least one flange of the face plate includes a pair of flanges laterally offset from one another and defining a first gap therebetween, wherein the at least select one of the at least one flange of the front wall and the at least one flange of the face plate is laterally spaced from an outermost edge of the perspective front wall or face plate, and wherein the remaining one of the group consisting of the at least one flange of the front wall and the at least one flange of the face plate includes an outwardly extending first tab that is received into the gap, thereby coupling the face plate with the front wall.

Claim 2 (previously amended). A drawer assembly, comprising:

a bottom wall;

a pair of sidewalls opposed across the bottom wall from one another and extending upwardly from the bottom wall;

a rear wall extending upwardly from the bottom wall and between the pair of sidewalls;

a front wall extending upwardly from the bottom wall between the pair of sidewalls and opposed across the bottom wall from the rear wall, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof; and

a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof;

wherein at least a select one of a group consisting of the at least one flange of the front wall and of the at least one flange of the face plate includes a pair of flanges defining a first gap therebetween, and wherein the remaining one of the group consisting of the at least one flange of the front wall and the at least one flange of the face plate includes an outwardly extending first tab that is received into the gap, thereby coupling the face plate with the front wall; and

wherein the at least one flange of the front wall includes three upwardly extending flanges cooperating to define the first gap and a second gap therebetween, the face plate includes the first tab and a second tab each extending downwardly, and wherein the first tab is received within the first gap and the second tab is received within the second gap.

Claim 3 (original). The drawer assembly of claim 2, wherein the first and second gaps extend inwardly from the at least one flange of the front wall.

Claim 4 (original). The drawer assembly of claim 3, wherein each tab includes tapered side edges.

Claim 5 (original). The drawer assembly of claim 4, wherein the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, and wherein the side tabs are secured to the sidewalls.

Claim 6 (original). The drawer assembly of claim 5, wherein the side tabs of the face plate are located inwardly of the sidewalls.

Claim 7 (original). The drawer assembly of claim 6, wherein the front wall includes a pair of tab members extending forwardly from side edges of the front wall,

and wherein the tab members engage abutment surfaces of the face plate, thereby supporting the face plate from the front wall.

Claim 8 (original). The drawer assembly of claim 7, wherein the tab members of the front wall are hook-shaped, thereby coupling the face plate with the front wall.

Claim 9 (original). The drawer assembly of claim 1, wherein the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, and wherein the side tabs are secured to the sidewalls.

Claim 10 (original). The drawer assembly of claim 9, wherein the side tabs of the face plate are located inwardly of the sidewalls.

Claim 11 (original). The drawer assembly of claim 1, wherein the front wall includes a pair of tab members extending forwardly from the side edges of the front wall, and wherein the tab members engage abutment surfaces of the face plate, thereby supporting the face plate from the front wall.

Claim 12 (original). The drawer assembly of claim 11, wherein the tab members of the front wall are hook-shaped, thereby coupling the face plate with the front wall.

Claim 13 (original). The drawer assembly of claim 1, further including:
a locking mechanism operably mounted to the front wall and extending outwardly through a front surface of the face plate.

Claim 14 (cancelled).

Claim 15 (currently amended). ~~The drawer assembly of claim 14, wherein the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, and wherein the side tabs are secured to the sidewalls~~ The drawer assembly of claim 18, further including:

a locking mechanism operably mounted to the front wall and extending outwardly through a front surface of the face plate.

Claim 16 (cancelled).

Claim 17 (cancelled).

Claim 18 (currently amended). ~~The drawer assembly of claim 17,~~ A drawer assembly, comprising:

a bottom wall;

a pair of sidewalls opposed across the bottom wall from one another and extending upwardly from the bottom wall;

a rear wall extending upwardly from the bottom wall and between the pair of sidewalls;

a front wall extending upwardly from the bottom wall between the pair of sidewalls and opposed across the bottom wall from the rear wall, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof, and at least one forwardly extending tab located along a side edge of the front wall; and

a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof, and a rearwardly exposed abutment surface;

wherein the flange of the front wall and the flange of the face plate engage one another, and wherein the at least one tab of the front wall engages the abutment surface of the face plate, thereby coupling the face plate with the front wall, the front wall is adapted to be secured to the pair of sidewalls prior to the face plate being secured to the front wall, the face plate further including at least one side tab extending longitudinally along a side edge of the face plate, the at least one side tab is secured to one of the sidewalls, the at least one side tab of the face plate is located inwardly of the sidewalls, the at least one tab of the front wall is hook-shaped, and wherein the at least one tab members of the front wall engages the at least one side tabs of the face plate.

Claim 19 (cancelled).

Claim 20 (currently amended). ~~The drawer assembly of claim 19,~~ A drawer assembly, comprising:

a bottom wall;

a pair of sidewalls opposed across the bottom wall from one another and extending upwardly from the bottom wall;

a rear wall extending upwardly from the bottom wall and between the pair of sidewalls;

a front wall extending upwardly from the bottom wall between the pair of sidewalls and opposed across the bottom wall from the rear wall, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof, and forwardly extending tab members located along side edges of the front wall; and

a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof, and rearwardly exposed abutment surfaces;

wherein the flange of the front wall and the flange of the face plate engage one another, the tab members of the front wall engage the abutment surfaces of the face plate, thereby coupling the face plate with the front wall, the front wall is adapted to be secured to the pair of sidewalls prior to the face plate being secured to the front wall, the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, the side tabs are secured to the sidewalls, the tab members of the front wall are hook-shaped and wherein the tab members of the front wall engage the side tabs of the face plate.

Claim 21 (currently amended). The drawer assembly of claim ~~[[14]]~~ 20, further including:

a locking mechanism operably mounted to the front wall and extending outwardly through a front surface of the face plate.

Claim 22 (previously amended). A storage cabinet, comprising:

a housing member including a pair of sidewalls, a rear wall and a bottom wall cooperating to define an interior space and a forwardly facing aperture providing access to the interior space; and

at least one drawer assembly operably coupled to the housing member within the aperture for rectilinear movement into and from the interior of the housing member, the at least one drawer assembly comprising:

- a bottom wall;

- a pair of sidewalls opposed across the bottom wall of the at least one drawer assembly from one another and extending upwardly from the bottom wall of the at least one drawer assembly;

- a rear wall extending upwardly from the bottom wall of the at least drawer assembly and between the pair of sidewalls of the at least one drawer assembly;

- a front wall extending upwardly from the bottom wall of the at least one drawer assembly between the pair of sidewalls of the at least one drawer assembly and opposed across the bottom wall of the at least one drawer assembly from the rear wall of the at least one drawer assembly, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof; and

- a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof;

wherein at least a select one of a group consisting of the at least one flange of the front wall of the at least one drawer assembly and of the at least one flange of the face plate includes a pair of flanges laterally offset from one another and defining a first gap therebetween, wherein the at least select one of the at least one flange of the front wall and the at least one flange of the face plate is laterally spaced from an outermost edge of the perspective front wall or face plate, and wherein the remaining one of the group consisting of the at least one flange of the front wall of the at least one drawer assembly and the at least one flange of the face plate

includes an outwardly extending first tab that is received into the gap, thereby coupling the face plate with the front wall of the at least one drawer assembly.

Claim 23 (previously amended). A storage cabinet, comprising:

a housing member including a pair of sidewalls, a rear wall and a bottom wall cooperating to define an interior space and a forwardly facing aperture providing access to the interior space; and

at least one drawer assembly operably coupled to the housing member within the aperture for rectilinear movement into and from the interior of the housing member, the at least one drawer assembly comprising:

a bottom wall;

a pair of sidewalls opposed across the bottom wall of the at least one drawer assembly from one another and extending upwardly from the bottom wall of the at least one drawer assembly;

a rear wall extending upwardly from the bottom wall of the at least drawer assembly and between the pair of sidewalls of the at least one drawer assembly;

a front wall extending upwardly from the bottom wall of the at least one drawer assembly between the pair of sidewalls of the at least one drawer assembly and opposed across the bottom wall of the at least one drawer assembly from the rear wall of the at least one drawer assembly, the front wall including at least one laterally extending flange located proximate an uppermost edge thereof; and

a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof;

wherein at least a select one of a group consisting of the at least one flange of the front wall of the at least one drawer assembly and of the at least one flange of the face plate includes a pair of flanges defining a first gap therebetween, wherein the at least select one of the at least one

flange off the front wall and the at least one flange of the face plate is laterally spaced from an outermost edge of the perspective front wall or face plate, and wherein the remaining one of the group consisting of the at least one flange of the front wall of the at least one drawer assembly and the at least one flange of the face plate includes an outwardly extending first tab that is received into the gap, thereby coupling the face plate with the front wall of the at least one drawer assembly; and

wherein at least one flange of the front wall of the at least one drawer assembly includes three upwardly extending flanges cooperating to define the first gap and a second gap therebetween, the face plate includes the first tab and a second tab each extending downwardly, and wherein the first tab is received within the first gap and the second tab is received within the second gap.

Claim 24 (original). The storage cabinet of claim 23, wherein the first and second gaps extend inwardly from the at least one flange of the front wall of the at least one drawer assembly.

Claim 25 (original). The storage cabinet of claim 24, wherein each tab includes tapered side edges.

Claim 26 (original). The storage cabinet of claim 25, wherein the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, and wherein the side tabs are secured to the sidewalls of the at least one drawer assembly.

Claim 27 (original). The storage cabinet of claim 26, wherein the side tabs of the face plate are located inwardly of the sidewalls.

Claim 28 (previously amended). The storage cabinet of claim 22, further including:

a locking mechanism operably mounted to the front wall of the at least one drawer assembly and extending outwardly through a front surface of the face plate, the locking mechanism being actuatable between a locked position, wherein the locking mechanism prevents the at least one drawer assembly from being removed from the interior of the housing, and an unlocked position, wherein the locking mechanism allows the at least one drawer assembly to be extending from the interior of the housing member.

Claims 29-32 (cancelled).

Claim 33 (currently amended). ~~The storage cabinet of claim 32, A storage cabinet, comprising:~~

a housing member including a pair of sidewalls, a rear wall and a bottom wall cooperating to define an interior space and a forwardly facing aperture providing access to the interior space; and

at least one drawer assembly operably coupled to the housing member for rectilinear movement into and from the interior of the housing member, the at least one drawer assembly comprising:

a bottom wall;

a pair of sidewalls opposed across the bottom wall of the at least one drawer assembly from one another and extending upwardly from the bottom wall of the at least one drawer assembly;

a rear wall extending upwardly from the bottom wall of the at least one drawer assembly and between the pair of sidewalls of the at least one drawer assembly;

a front wall extending upwardly from the bottom wall of the at least one drawer assembly and between the pair of sidewalls of the at least one drawer assembly and opposed across the bottom wall of the at least one drawer assembly from the rear wall of the at least one drawer assembly, the front wall including at least one laterally extending flange located

proximate an uppermost edge thereof, and forwardly extending tab members located along side edges of the front wall; and
a face plate having at least one laterally extending flange located substantially proximate an upper edge thereof, and rearwardly exposed abutment surfaces;
wherein the flange of the front wall of the at least one drawer assembly and the flange of the face plate engage one another, the tab members of the front wall of the at least one drawer assembly engage the abutment surfaces of the face plate, thereby coupling the face plate with the front wall of the at least one drawer assembly, the front wall is adapted to be secured to the pair of sidewalls prior to the face plate being secured to the front wall, the face plate further includes a pair of side tabs extending longitudinally along side edges of the face plate, the side tabs are secured to the sidewalls of the at least one drawer assembly, the side tabs of the face plate are located inwardly of the sidewalls of the at least one drawer assembly, the tab members of the front wall of the at least one drawer assembly are hook-shaped, and wherein the tab members of the front wall of the at least one drawer assembly engage the side tabs of the face plate.

Claim 34 (currently amended). The storage cabinet of claim **[29]** 33, further including:

a locking mechanism operably mounted to the front wall of the at least one drawer assembly and extending outwardly through a front surface of the face plate, the locking mechanism being actuatable between a locked position, wherein the locking mechanism prevents the at least one drawer assembly from being removed from the interior of the housing, and an unlocked position, wherein the locking mechanism allows the at least one drawer assembly to be extending from the interior of the housing member.

Claims 35-97 (cancelled).

Conclusion

4. The prior art made of record and not relied upon was considered pertinent to applicant's disclosure. Drum et al., describes a filing cabinet housing including drawers with locking mechanisms extending through the front wall of the drawer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can normally be reached on Monday-Friday between 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James O. Hansen/
Primary Examiner, Art Unit 3637

JOH
August 15, 2008